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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,330	01/05/2001	Daniel Eugene George	AD-6580	9328

23906 7590 06/13/2003

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WILMINGTON, DE 19805

EXAMINER

FERGUSON, LAWRENCE D

ART UNIT PAPER NUMBER

1774

12

DATE MAILED: 06/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/743,330

Applicant(s)

GEORGE ET AL.

Examiner

Lawrence D Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3 and 4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3 and 4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Response to Amendment*

1. This action is in response to the amendment mailed April 1, 2003.

Claims 1 was amended and claim 2 was cancelled rendering claims 1 and 3-4 pending.

### ***Claim Rejections – 35 USC § 103(a)***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 and 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 04102883 in view of Satoji (U.S. 4,687,696).

JP '883 discloses a separating pawl of a copying machine prepared by adding polytetrafluoroethylene resin with polyimide resin at 40 to 90wt% and the 60 to 10wt% of fluororesin where the material is compression molded and sintered (abstract). A separating pawl is analogous to a separation finger and a copying machine is an Electro photographic device. Furthermore, a separation finger for Electro photographic devices is considered to be intended use, which is given little patentable weight. Applicant teaches separation figures having configurations of 70 $\mu$ m or less in finger tips diameter

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are known in the art. Claim 1 is amended to disclose a '...separation finger having its tip diameters being not greater than 30 $\mu$ m.' Examiner includes 0 in the limitation of 'not greater than 30' rendering the amended limitation met by JP '883. JP '883 does not disclose the weight average molecular weight.

Satoji teaches finger strips for copying machines having polyimide resins mixed with polytetrafluoroethylene resin (column 1, lines 4-5 and 35-40) where the fluorinated resin has an average molecular weight of 1000 to 5000 (column 7, lines 1-11) and average particle sizes, which are conventional to the art. Satoji teaches contact angles for repelling water being at least 90°C in table 1. Although Satoji does not disclose the exact range of weight average molecular weight as the claimed invention, it would have been obvious to one of ordinary skill in the art to include the amount as claimed, because the referenced art includes the same material with the same function as Applicant's claimed invention. JP '883 and Satoji are analogous art because they are from the same field of separation fingers. It would have been obvious to one of ordinary skill in the art to include the average molecular weight and contact angles in the separation finger of JP '883 because Satoji teaches that average molecular weight helps to reduce jamming of a copying machine and the contact angle helps reduce adhesion of the papers in the copier.

### ***Response to Arguments***

4. Applicant's remarks to the rejection made under 35 USC 103(a) as being unpatentable over JP 04102883 in view of Satoji (U.S. 4,687,696), have been considered but are not found

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persuasive. Applicant argues JP '883 does not provide information relevant to making the separation finger having its tip diameter not greater than 30 $\mu$ m. Claim 1 is amended to disclose a '...separation finger having its tip diameters being not greater than 30 $\mu$ m.' Examiner includes 0 in the limitation of 'not greater than 30' rendering the amended limitation met by JP '883 in view of Satoji.

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence Ferguson whose telephone number is (703) 305-9978. The examiner can normally be reached on Monday through Friday 8:30 AM – 4:30PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on (703) 308-0449. Please allow the examiner twenty-four hours to return your call.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2351.



Lawrence D. Ferguson  
Examiner  
Art Unit 1774

CYNTHIA H. KELLY  
SUPERVISORY PATENT EXAMINER  
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